

COMMONWEALTH OF VIRGINIA  
THE LIBRARY OF VIRGINIA  
RECORDS MANAGEMENT DIVISION  
(804) 786-5634

## RECORDS RETENTION AND DISPOSITION SCHEDULE

### GENERAL SCHEDULE NO. 14

**SCHEDULE TITLE:** County and Municipal Attorney's Records

**SCHEDULED AGENCIES:** County and Municipal Governments

**SCHEDULED DIVISIONS:** County, City and Town Attorneys

This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§42.1-76 et seq. Code of Virginia, for the retention and disposition of the records as stated. This schedule supersedes previously approved applicable schedules. Request approval on Form RM-3, Certificate of Records Disposal, for the destruction of record series noted in this schedule. Any records created prior to the Constitution of 1902 must first be offered to the VSL&A before applying these disposition instructions.

**EFFECTIVE SCHEDULE DATE:** February 15, 1996

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**RECORD SERIES NUMBER AND TITLE**

**SCHEDULED RETENTION AND DISPOSITION**

The following categories are included in this Schedule:

- I. General Records
- II. County and Municipal Attorney's Records

I. GENERAL RECORDS

Administrative Records

Retain in accordance with The Library of Virginia (LVA) General Schedule (GS) No. 19, Administrative Records Retention and Disposition Schedule.

Electronic Records

Retain in accordance with LVA GS-23, Electronic Records Retention and Disposition Schedule.

Fiscal Records

Retain in accordance with LVA GS-2, Fiscal Records Retention and Disposition Schedule.

Personnel Records

Retain in accordance with LVA GS-3, Personnel Records Retention and Disposition Schedule.

II. COUNTY AND MUNICIPAL ATTORNEY'S RECORDS

1. Bankruptcy Files

Retain 2 years after the final disposition of the case by the court, then destroy.

2. Bond Issue Files

Retain the approved bond 5 years after the date of bond maturity, then destroy. Retain work papers until receipt of the approved bond issue, then destroy.

3. Contract and Agreement Files

Retain 5 years after the terms of the contract or agreement have been fulfilled, then destroy.

4. Encroachment Files

Retain permanently in locality.

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| 5.  | Federal Community Development, Rehabilitation of Homes, Homesteading and Other HUD Files | Retain 3 years, then destroy.  |
| 6.  | Freedom of Information Notices   | Retain 5 years after date of notice, then destroy ( <u>Code of Virginia §2.1-341.1</u> )   |
| 7.  | Governing Body Agenda Files  | Retain duplicate records for as long as administratively or legally required, then destroy. Retain original records in accordance with LVA GS-4, <u>Board and Administrator Records Retention and Disposition Schedule</u> , and GS-9, <u>Council and Manager Records Retention and Disposition Schedule</u> . |
| 8.  | Legal Reviews  |  |
| a.  | By-Laws and charges to boards and commissions  | Retain for life of board or commission.  |
| b.  | Conflict of interest matters   | Retain 5 years after completion of any action, then destroy.   |
| c.  | Departmental matters   | Retain 1 year, then destroy.   |
| d.  | Legislative program or matters   | Retain 5 years after end of General Assembly session to which they relate, then destroy.   |
| e.  | Other reviews  | Retain 1 year, then destroy.   |
| 9.  | Litigation Case Files  |  |
| a.  | Adjudicated Juvenile Claims  | Retain 5 years after the final disposition of the case by the court and then for as long as administratively or legally required; then destroy.  |
| b.  | Adjudicated Claims   | Retain 5 years after the final disposition of the case by the court and then for as long as administratively or legally required; then destroy.  |
| c.  | Nonadjudicated Claims  | Retain 5 years after the out-of-court settlement is reached, or the expiration of liability (as determined by the relevant statute of limitations), and then for as long as administratively or legally required; then destroy.  |
| d.  | Injunctive, declaratory or administrative proceedings                                    | Retain 5 years after termination of proceeding, then destroy.  |
| e.  | Possible claims  | Retain until applicable statute of limitations expires, then destroy.  |
| 10. | Misdemeanor and Misdemeanor Appeal Files   | Retain 1 year after the final disposition of the case by the court, then destroy.  |

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11. Opinion Files	Retain permanently in locality.
12. Ordinance and Resolution Files	Retain original governing body approved ordinances and resolutions permanently in locality. Retain duplicates and rejected ordinances and resolutions for as long as administratively required, then destroy.
13. Real Estate and Personal Property Delinquent Tax Suit	Retain 1 year after the final disposition of the case by the court, then destroy.
14. Real Estate Title Files	Retain title notes, letter and report permanently. Retain documents recorded in the office of the circuit court clerk as long as administratively required, then destroy.
15. Street Closure Files	Retain the record copy permanently. Retain duplicate materials for as long as administratively required, then destroy.
16. Zoning and Rezoning Files	Retain as long as administratively or legally required, then destroy.

